

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated July 7, 2010. In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 72-78 and 80-83 are pending in this application. Following entry of this Amendment, claims 72 and 73 have been amended, and claims 79 and 84-110 have been cancelled.

Formal Rejections: 35 U.S.C. § 101

Claims 85-110

Claims 85-110 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. By this Amendment, without addressing the merits of the 35 U.S.C. § 101 rejection, Applicants have cancelled claims 85-110, thereby rendering the rejection to the claims under 35 U.S.C. § 101 now moot.

Formal Rejections: 35 U.S.C. § 103

Claims 72-78, 80-83, 85-91, 93-96, 98, 104 and 106-109

Claims 72-78, 80-83, 85-91, 93-96, 98, 104 and 106-109 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fesik et al. (WO 97/18471) (hereinafter "Fesik"), in view of Alba et al. (Progress in Nuclear Magnetic Resonance Spectroscopy 40, 2002, pages 175-197) (hereinafter "Alba"). Further, claims 76, 78, 83, 89, 91, 96, 102, 104 and 109 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fesik, in view of Alba, further in view of Tate et al. (Journal of Magnetic Resonance, Volume 171, 2004, pages 284-292) (hereinafter "Tate"). However, claims 79 and 84 were indicated as being allowable if rewritten in independent form.

Without addressing the merits of the 35 U.S.C. § 103(a) rejection to the claims, and in order to move this case forward to allowance, by this Amendment, Applicants have amended

claim 72 to incorporate the subject matter of claim 79, wherein claim 72 (currently amended) now includes the subject matter which is believed to be in conjunction with that of claim 72, a point of novelty recognized by the Examiner in the indication of allowable subject matter. Accordingly, Applicants respectfully submit that claim 72 (as amended) presents allowable subject matter. Applicants have also amended claim 73 to be consistent with the renumbering of steps in claim 72. As previously noted, Applicants have cancelled claims 79 and 84-110. In view of the foregoing claim amendments, Applicants respectfully submit that all pending claims, i.e. claims 72-78 and 80-83 present allowable subject matter, in accordance with the indication of allowability of the subject matter recited in claim 79.

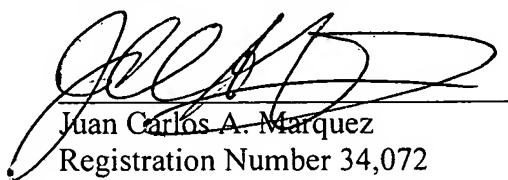
Conclusion

In light of the Amendments and Remarks, Applicant respectfully requests early and favorable action with regard to the present application, and a Notice of Allowance for all pending claims is earnestly solicited.

Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and telephone number indicated below.

Respectfully submitted,

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